ENTERED

September 01, 2023 Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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| SECURITIES AND EXCHANGE | § |
|------------------------------|---------------------------------|
| COMMISSION, | § |
| | § |
| Plaintiff, | § |
| | § |
| VS. | § CIVIL ACTION NO. 4:22-CV-3359 |
| | § |
| MAURICIO CHAVEZ, GIORGIO | § |
| BENVENUTO and CRYPTOFX, LLC, | § |
| | § |
| Defendants, | § |
| | § |
| CBT GROUP, LLC, | § |
| | § |
| Relief Defendant. | § |

ORDER

The Court held a telephone conference with the parties in the above-styled case. During the telephone conference, the Court indicated that it would not allow Defendant Mauricio Chavez to claim a Fifth Amendment privilege over records relating to this case that are the property of Cryptofx, LLC. To this extent the Motion to Compel filed by Receiver John Lewis, Jr. is partially granted. (Doc. No. 71).

The parties indicated that they could probably agree on an order with that direction in mind. Consequently, counsel are hereby **ORDERED** to file an agreed upon order regarding this discovery. That order should generally follow the law as outlined by the precedent found in the opinions of the Supreme Court of the United States. See e.g. Bellis v. United States, 417 U.S. 85, 94

S. Ct. 2179, 40 L. Ed. 2d 678 (1974); *United States v. White*, 322 U.S. 694, 64 S. Ct. 1248, 88 L. Ed. 1542 (1944). Counsel for Defendant Chavez may agree "in form only."

Signed at Houston, Texas, this <u>315</u> day of August, 2023.

Andrew S. Hanen